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Attorney for Plaintiff Scott Feamster

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

SCOTT FEAMSTER, on behalf of himself
and all others similarly situated,

Plaintiff,

vs.

GACO WESTERN, LLC, d/b/a GACO
WESTERN, a Limited Liability Company, and
DOES 1 – 100.

Defendants.

Case No.: 4:cv-18-1327 HSG

STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE HEARING DATE
ON DEFENDANT'S MOTION TO
DISMISS AND INITIAL CASE
MANAGEMENT CONFERENCE;
DECLARATION OF SHERI L. KELLY

Local Rules 6-2 and 7-12

1 Pursuant to Local Rules 6-2 and 7-12, the parties hereby stipulate and agree to continue the
2 hearing date on Defendant Gaco Western, LLC's (hereinafter "Gaco Western") Motion to
3 Dismiss, and the initial Case Management Conference, as follows:

4 WHEREAS on April 16, 2018 Gaco Western filed its Motion to Dismiss Plaintiff's
5 Complaint, and set a hearing date for July 19, 2018 at 2:00 pm, which was the first available
6 hearing date on the Court's calendar at that time (ECF 15);

7 WHEREAS, Defendant's Motion to Dismiss has been fully briefed (ECF 15, 16, and 17);

8 WHEREAS, the Court scheduled the initial Case Management Conference to take place at
9 the same date and time as the hearing on Defendant's Motion to Dismiss on July 19, 2018 (ECF
10 20);

11 WHEREAS, as set forth in the accompanying declaration of Sheri L. Kelly, a medical
12 condition requiring a hospital stay will prevent Plaintiff's counsel from attending the hearing on
13 Defendant's Motion to Dismiss and Case Management Conference currently scheduled for July
14 19, 2018;

15 WHEREAS, the parties hereby stipulate and agree to continue the hearing on Defendant's
16 Motion to Dismiss and Case Management Conference to the first available hearing date on or after
17 August 16, 2018; as of the date of this stipulation, the first available hearing date on the Court's
18 calendar is September 13, 2018.

19 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT, subject to
20 the Court's approval, the hearing date for Defendant's Motion to Dismiss and the initial Case
21 Management Conference shall be continued from July 19, 2018 at 2:00 p.m. to September 13,
22 2018 at 2:00 p.m.

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1 Dated: July 6, 2018

LAW OFFICE OF SHERI L. KELLY

2
3 /s/ Sheri L. Kelly

SHERI L. KELLY

4 Counsel for Plaintiff Scott Feamster

5 Dated: July 6, 2018

WILSON ELSEY MOSKOWITZ EDELMAN &
DICKER, LLP

7 /s/ Marilyn Jenkins

MARYLIN JENKINS

8 Counsel for Defendant Gaco Western, LLC

9
10 **FILER'S ATTESTATION**

11 I, Sheri L. Kelly, attest, pursuant to Civil L.R. 5-1(i)(3), that concurrence in the filing of
12 this document has been obtained from the other signatory to this document.

13
14 Dated: July 6, 2018

LAW OFFICE OF SHERI L. KELLY

15
16 /s/ Sheri L. Kelly

SHERI L. KELLY

17 Counsel for Plaintiff Scott Feamster

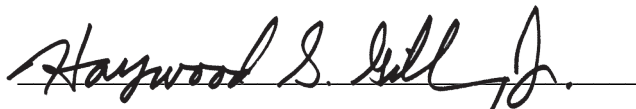
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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

The hearing date for Defendant Gaco Western’s Motion to Dismiss, and the initial Case Management Conference, shall be continued from July 19, 2018 at 2:00 p.m., to September 13, 2018 at 2:00 p.m.

DATED: 7/10/2018



Hon. Haywood S. Gilliam, Jr., District Judge